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Hudson Specialty Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT – SAN FRANCISCO DIVISION

SCOTTSDALE INSURANCE COMPANY, a
corporation,

Plaintiff,

v.

HUDSON SPECIALTY INSURANCE
COMPANY, a corporation,

Defendant.

Case No. 3:15-cv-02896-HSG

**STIPULATION AND ORDER REVISING
THE COURT'S AMENDED
SCHEDULING ORDER**

Plaintiff Scottsdale Insurance Company ("Scottsdale") and Defendant Hudson Specialty Insurance Company ("Hudson"), referred to collectively as the "Parties", by and through their respective counsel, hereby stipulate to revise the Court's October 27, 2016 Amended Scheduling Order (Dkt. 43) as follows:

I. RECITALS

1. WHEREAS, the Parties have recently completed discovery in the above-captioned matter.

2. WHEREAS, the Parties are scheduled to attend an Early Neutral Evaluation session ("ENE") with the Court appointed neutral evaluator, Rachel Ehrlich, Esq., on December 12, 2016.

3. WHEREAS, no trial date has been set in this matter.

4. WHEREAS, on October 27, 2016, the Court issued an Amended Scheduling Order (Dkt. 43), setting deadlines for fact discovery, expert discovery, and dispositive motions. The Amended Scheduling Order set January 26, 2017 as the deadline to hear dispositive motions.

5. WHEREAS, the Parties do not seek any extension of dates currently set by the Amended Scheduling Order relating to the discovery cutoff.

6. WHEREAS, the current deadline to hear dispositive motions is January 26, 2017. In conjunction with the aforementioned deadline, the Parties' deadline to file dispositive motions is December 22, 2016. The current deadline to file oppositions to the aforementioned dispositive motions is January 5, 2017 and the deadline to file reply briefs is January 12, 2017.

7. WHEREAS, the Parties hereby seek an extension of the deadline to hear dispositive motions. The Parties hereby stipulate to and request entry of an Order extending the deadline to hear dispositive motions to February 23, 2017. Good cause exists for an extension of the current deadline of January 26, 2017 to file dispositive motions, as such an extension will allow the Parties additional time following the December 12, 2016 ENE (if the matter does not resolve at the ENE session) to undertake additional discussions regarding a potential resolution of this matter prior to filing cross-motions. The Parties have been working diligently toward moving this case forward in an efficient, expeditious manner. The Parties wish to litigate this matter in a cost-effective manner and avoid unnecessary attorneys' fees and costs.

8. WHEREAS, James R. Tenero, lead counsel for Plaintiff, Scottsdale Insurance Company, will be unavailable due to a pre-paid vacation to Brazil from December 23, 2016 to January 8, 2017.

9. WHEREAS, Stephen P. Ellingson, lead counsel for Defendant Hudson Specialty Insurance Company, will be unavailable due to a pre-paid vacation from December 23, 2016 to January 8, 2017.

10. WHEREAS, the Parties have agreed to submit this Stipulation and [Proposed] Order to Revise the Court's Amended Scheduling Order.

11. Accordingly, the Parties hereby stipulate to revising the Court's October 27, 2016 Amended Scheduling Order as follows.

II. STIPULATION

The parties hereby stipulate to the following revisions to the Court's Amended Scheduling Order:

Scheduled Event	Date
Fact Discovery Cutoff	December 2, 2016 (NO CHANGE)
Exchange Initial Expert Reports	November 17, 2016 (NO CHANGE)
Exchange Rebuttal Expert Reports	November 30, 2016 (NO CHANGE)
Expert Discovery Cutoff	December 14, 2016 (NO CHANGE)
Deadline to Hear Dispositive Motions	February 23, 2017 at 2:00 p.m. (Currently January 26, 2017)

DATED: December 9, 2016

SELMAN BREITMAN LLP

By: /s/Wendy M. Schenk
JAMES R. TENERO
WENDY M. SCHENK
Attorneys For Plaintiff
Scottsdale Insurance Company

DATED: December 9, 2016

HAYES SCOTT BONINO ELLINGSON &
MCKAY

By: /s/Jonathan K. Myers
STEPHEN P. ELLINGSON
JONATHAN K. MYERS
Attorneys For Defendant
Hudson Specialty Insurance Company

ORDER

Pursuant to the parties' stipulation, the deadlines set by the Court's Amended Scheduling Order are continued as follows:

Scheduled Event	Date
Fact Discovery Cutoff	December 2, 2016 (NO CHANGE)
Exchange Initial Expert Reports	November 17, 2016 (NO CHANGE)
Exchange Rebuttal Expert Reports	November 30, 2016 (NO CHANGE)
Expert Discovery Cutoff	December 14, 2016 (NO CHANGE)
Deadline to Hear Dispositive Motions	February 23, 2017 at 2:00 p.m. (Currently January 26, 2017)

IT IS SO ORDERED.

Dated: December 9, 2016

By



HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA